

VOSH PROGRAM DIRECTIVE: 14-204A

ISSUED: 01 September 2018

SUBJECT: State Emphasis Program: Scaffolding

Purpose **CHANGE II:** This Change updates the reference to the coding system from Integrated Management Information System (“IMIS”) to the current OSHA Information System (“OIS”). **CHANGE I:** This revised directive updates old references and renumbers this SEP to conform to the VOSH program directives’ new classification and numbering system (See VOSH Directive 01-001A).

This directive continues the state emphasis program (SEP) for scaffolding.

This program directive is an internal guideline not a statutory or regulatory rule and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.

Scope This Program Directive applies VOSH-wide.

Reference None.

Cancellation VOSH Program Directive 14-204 (01 April 2003)

Action Directors and Managers shall assure that the policies and procedures established in this directive are adhered to in conducting inspections.

Effective Date **CHANGE II:** 01 September 2018
CHANGE I: 01 April 2003

Expiration Date Not Applicable – remains in effect until cancelled or superseded.

C. Ray Davenport
Commissioner

Distribution: Commissioner of Labor and Industry
Assistant Commissioner
VOSH Directors and Managers
VOSH DLS and OIS Staffs

Consultation Services Director
VOSH Compliance & Cooperative Programs Staffs
OSHA Region III & OSHA Norfolk Area Offices

I. **Background and Summary.**

Scaffolding work presents a huge safety risk for workers. Employers may frequently choose to bypass compliance with VOSH safety standards for three reasons: (1) economic constraints, (2) a belief that compliance is unnecessary, and (3) an expectation that these short-term operations will go undetected. More than thirty five years of enforcement activity has shown that the rate of compliance needs to be increased.

Because of the continuing incidence of scaffolding-related falls, and ensuing injury or loss of life, VOSH has determined that an increased enforcement presence is warranted.

The normal Construction Scheduling Procedures, outlined in the VOSH FOM, are not effective in conducting scaffolding inspections because the timing of such inspections is extremely important. Therefore, the following procedures are to be used where scaffolding is concerned.

II. **Procedures.**

1. All compliance personnel shall be instructed to be on the lookout for activities in which scaffolding may be in use. Every observation of these activities shall be handled as follows:
 - (A) Note the name and address (or location) of worksite;
 - (B) Note name of contractor performing scaffolding operation;
 - (C) Note condition of worksite, including apparent serious hazards;
 - (D) Note if violations or unsafe conditions are observed in plain view.
2. Although sightings will be those that occur during routine travel, CSHOs may saturate areas of high construction activity in order to identify scaffolding sites. (Verification of information received from sources outside these observations is permitted under SEP.)
3. Documentation of events leading up to observation is to be maintained by the Regional Office in case of denial of entry.
4. Inspection
 - (A) If violations or unsafe conditions are observed in plain view, all scaffolding brought to the attention of VOSH shall be inspected.
 - (B) No inspection shall be conducted if it is apparent that the scaffolding is in **compliance with VOSH standards**. **When no inspection is conducted, the CSHO** shall record this for the purposes of the OIS system, according to the guidelines in section III.C., below.

- (C) In the case of imminent danger, unprogrammed SEP inspections (as per relevant chapters of VOSH FOM) are scheduled when formal complaints, FAT/CAT reports, safety and health agency reports, media reports and other reports of imminent danger, or other referrals are made.
- (D) Unprogrammed SEP inspections shall be scheduled in accordance with the guidelines in Chapter 3 of the 2017 VOSH FOM. Such notices need not be responded to with the usual letter to the employer.
- (E) The scope of inspections under this SEP is limited to scaffolding, unless it must be expanded. In such a case, Chapter 5, B. in the 2017 VOSH FOM shall be followed.

Please Note: The CSHO shall be alert to the presence of minors who may be employed at such worksites. Minors between 16 and 18 years of age shall be reported to the Regional Director, as they should not be working in hazardous occupations.

III. **Recording in OIS.**

The following guidelines shall be applied when recording inspections conducted under this SEP, or any others involving scaffolding operations:

- A. Programmed Inspections.** A programmed inspection conducted under this SEP shall be coded as “SCAFFOLD” IN THE State Emphasis Program block and as “Programmed Planned” in the Initiating Type block OIS. Inspections under this SEP will be typically coded as “Safety” inspections in the “Inspection Category” block.
- B. Complaint Inspections.** On the OIS Inspection Form, inspections involving scaffolding activities which are initiated as a result of a complaint, referral, or fatality/catastrophe, shall be coded as “SCAFFOLD” in the *State Emphasis Program* block and as the appropriate “unprogrammed activity in the *Initiating Type* block regardless of whether they are listed on a cycle list.
- C. No Inspection Conducted.** When no inspection of scaffolds is conducted for any of the reasons listed in sections II.1. through II.5 of VOSH Program Directive 14-221E, or its successor, OIS shall be updated in the “*Reason No Inspection*” block.
- D. Code placement of “SCAFFOLD”** is necessary in the State Emphasis Program field for all consultation activities, i.e., requests, visits, and compliance assistance conducted at establishments in the NAICS codes included in this SEP.

Please note: If you have any questions regarding the proper way to record in OIS, please contact the VOSH OIS section.

Attachment: None.